



United States Mission to the OSCE

Statement on Proposed Legislative Changes in Kazakhstan

As delivered to the Permanent Council
by Ambassador Stephan M. Minikes
Vienna
May 19, 2005

Thank you, Mr. Chairman.

The United States is once again forced to take the floor by Kazakh action to raise its concerns about legislative changes that are under consideration in Kazakhstan.

We are troubled by draft legislation on non-governmental and non-commercial organizations that was recently introduced to Parliament, as well as a package of national security amendments that were approved by the Mazhilis on May 12th.

The draft legislation on NGOs, which includes a draft law and package of related amendments, would stifle the development of civil society in Kazakhstan.

The efforts of local organizations working to promote Kazakhstan's political, economic, and social development with foreign assistance would be particularly constrained.

The legislative package that I spoke of would impose sweeping and crippling notification requirements; it would introduce more stringent registration requirements; it would give local authorities broad and ill-defined latitude to deny registrations; it would require the permission of local authorities for domestic NGOs to receive funding.

In addition, international NGOs would be required to re-register, and non-Kazakhstanis would be forbidden from heading branch or representative offices of international NGOs.

These provisions run counter to President Nazarbayev's February address to the nation, which emphasizes the importance of continuing democratic reforms.

We feel strongly that if adopted, this legislative package would have an extremely negative impact on the development of civil society in Kazakhstan and create a climate of distrust in the relationship between authorities and civil society.

We therefore urge the government of Kazakhstan not to support this legislation.

We are also concerned about a separate set of national security amendments approved a week ago on May 12 in the lower house of Parliament that are now under consideration in the Senate. The draft amendments still contain numerous very worrisome provisions.

Of particular concern is the broad latitude granted to deny registration of religious groups and political parties and to dissolve or suspend mass media enterprises. These new restrictions

run counter to civil liberty guarantees in Kazakhstan's very own constitution.

Mr. Chairman, I am sorry to say that the restrictive nature of the proposed amendments follows the very negative trend of the recent law on extremism and the amendments to the elections laws. Our concerns about these laws have been raised previously in this council.

The United States is concerned not only about the substance of these changes, but also by Kazakhstan's notable unresponsiveness to legal advice from a variety of international experts, including ODIHR.

We therefore strongly once again urge authorities in Kazakhstan to carefully review the proposed legislative amendments, ensure that changes conform to the Constitution and to Kazakhstan's OSCE commitments, and to reject all those amendments that do not.

Thank you, Mr. Chairman.